

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

TERI RAE MACKIE

v.

HOME DEPOT U.S.A, INC., or
whatever entity that operates the business
located at 3120 NE Loop 286, Paris,
Texas 75460

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Case No.: 4:05cv409
(Jury)

AGREED MOTION TO DISMISS

Plaintiff Teri Rae Mackie and Defendant Home Depot U.S.A., Inc., or whatever entity that operates the business located at 3120 NE Loop 286, Paris, Texas 75460 (collectively, the “Parties”) file this Agreed Motion to Dismiss and state:

The Parties respectfully request that the Court enter an order providing that: (a) all claims in this case are dismissed with prejudice to the refile of same in any form; and (b) all taxable costs and attorneys’ fees are to be paid by the party incurring same, as provided in the accompanying Agreed Order of Dismissal. The Parties’ agree to this request is reflected by their respective counsels’ signatures below.

Dated: August 24, 2006

Respectfully submitted,

/s/

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